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5 Attorney for Plaintiff  
6 BP INDUSTRIES INCORPORATED

7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
9 EASTERN DIVISION

10 BP INDUSTRIES INCORPORATED,

11 Plaintiff,

12 vs.

13 MICHAELS STORES, INC. and  
14 UMBRA LTD,

15 Defendants.

Case No. 5:13-CV-02261-VAP-DTB

**STIPULATION OF VOLUNTARY  
DISMISSAL PURSUANT TO F.R.C.P.  
41(a)(1)(A)(ii)**

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P.**

**41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff,  
BP Industries Incorporated, and defendants Michaels Stores, Inc. and Umbra Ltd  
that the Complaint in this action be dismissed WITH PREJUDICE, and all  
Counterclaims in this action be dismissed WITHOUT PREJUDICE pursuant to  
the Federal Rules of Civil Procedure 41(a)(1)(A)(ii), and subject to the terms of

1  
2 that certain "CONFIDENTIAL SETTLEMENT & RELEASE AGREEMENT,  
3 dated December 23, 2014, by and between all of the parties to this action.  
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LAW OFFICE OF JOHN W. MARTIN

7 /s/ John W. Martin  
8 John W. Martin, CA SBN # 113503  
9 Attorney for BP Industries Incorporated

DYKEMA GOSSETT LLP

11 /s/ Allan Gabriel  
12 Allan Gabriel, CA SBN#76477  
13 Attorney for Michaels Stores, Inc.

DAMON MOREY LLP

15 /s/ Randolph C. Oppenheimer  
16 Randolph C. Oppenheimer  
17 Attorney for Umbra Ltd

1                   C.D. Cal. L.R. 5-4.3.4(a)(2)(i) Attestation

2                   I attest that the e-signatures of Allan Gabriel, on behalf of defendant  
3                   Michaels Stores, Inc., and Robert C. Oppenheimer, on behalf of defendant Umbra  
4                   Ltd, were added with authorizations conveyed by email from Messrs. Gabriel and  
5                   Oppenheimer. Pursuant to the emails from Messrs. Gabriel and Oppenheimer,  
6                   defendant Michaels Stores, Inc.'s counsel and defendant Umbra Ltd's counsel  
7                   concur in this filing's content and have authorized this filing.

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9                   \_\_\_\_\_  
10                  /s/ John W. Martin  
11                  John W. Martin  
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